

Amendment to the Drawings:

The attached four sheets of drawings includes changes to Figures 1A, 1B, 2A, 2B, 3, 4 and 6. Figures 1A, 1B, 2A and 2B have been separately labeled. In Figure 1B, reference signs 20 and 30 have been added. In Figure 2A, reference signs 200 and 202 have been added. In Figure 2B, reference signs 141 and 143 have been added. In Figure 3, reference sign 204 has been added. In Figure 4, reference sign 206 has been added. In Figure 6, reference signs 210.

Attachments:

Replacement Sheet - Figures 1A, 1B, 2A, 2B, 3, 4 and 6

Annotated Sheet Showing Changes - Figures 1A, 1B, 2A, 2B, 3, 4 and 6

REMARKS

I. Introduction

Claims 36 to 38 and 59 to 69 are pending in the present application. The foregoing amendments are made solely to place the application in better form for appeal by re-submitting the drawing amendments that are purported to be missing and overcoming the rejection of claims 36 to 38 and 59 to 69 under 35 U.S.C. 112, first paragraph. It is respectfully requested that the foregoing amendments be entered.

II. Objection to Drawings

The Final Office Action states that the drawing corrections and replacement drawings were missing from Applicants' previous submission. Therefore, Applicant re-submits said drawing corrections and replacement drawings.

Specifically, in paragraphs 3, 4 and 5, the Office Action dated June 5, 2003 objected to the drawings. Applicants submit herewith four sheets of drawings including changes to Figures 1A, 1B, 2A, 2B, 3, 4 and 6. More specifically, Figures 1A, 1B, 2A and 2B have been separately labeled. In Figure 1B, reference signs 20 and 30 have been added. In Figure 2A, reference signs 200 and 202 have been added. In Figure 2B, reference signs 141 and 143 have been added. In Figure 3, reference sign 204 has been added. In Figure 4, reference sign 206 has been added. In Figure 6, reference signs 210 have been added.

Applicants respectfully maintain that the amendments to these Figures overcome the objections to the drawings and request that the objections be withdrawn.

III. Rejection of Claims 36 to 38 and 59 to 69 Under 35 U.S.C. § 112

Claims 36 to 38 and 59 to 69 were rejected under 35 U.S.C. 112, first paragraph. Specifically, the Final Office Action states that "the specification, while being enabling for a filter module having a plurality of connections for supplying or removing a fluid from the device and each connection having the claims subject

matter, does not reasonably provide enablement for any filter module without a plurality of connection[s]." Final Office Action at page 2. While Applicants respectfully disagree, to facilitate matters, claim 36 has been amended herein without prejudice to recite "[a] filter module having a plurality of connections for supplying or removing a fluid from the device, at least one of said connections" comprising the recited features. Support for this amendment can be found, for example, on page 5, lines 24 to 27 of the Specification, which states that "[t]he present invention also concerns a medical item with one or more connections for supplying and/or removing a fluid, with at least one connection being provided with a closure element according to this invention." Emphasis added.

It is therefore respectfully submitted that claim 36 fully complies with the requirements of 35 U.S.C. § 112, and withdrawal of this rejection is therefore respectfully requested. Furthermore, it is respectfully submitted that claims 37 to 38 and 59 to 69, which depend from claim 36, fully comply with the requirements of 35 U.S.C. § 112 by virtue of the amendments made herein to claim 36, and withdrawal of these rejections are therefore respectfully requested also.

IV. Rejection of Claims 36 to 38, 59 to 62 and 65 to 69 Under 35 U.S.C. § 102(b)

Claims 36 to 38, 59 to 62 and 65 to 69 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,197,848 ("Garrett et al."). Applicants respectfully submit that claims 36 to 38, 59 to 62 and 65 to 69 are allowable for at least the reasons stated in Applicant's previously filed Amendment dated September 4, 2003. Applicants hereby reserve the right to appeal the final rejection of claims 36 to 38, 59 to 62 and 65 to 69 under 35 U.S.C. § 102(b), a Notice of Appeal to be subsequently submitted.

V. Rejection of Claims 36 to 38, 60 to 64 and 66 to 69 Under 35 U.S.C. § 103(a)

Claims 36 to 38, 60 to 64 and 66 to 69 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,929,235 ("Merry et al.").

Applicants respectfully submit that claims 36 and 38, 60 to 64 and 66 to 69 are allowable for at least the reasons stated in Applicant's previously filed Amendment dated September 4, 2003. Applicants hereby reserve the right to appeal the final rejection of claims 36 and 38, 60 to 64 and 66 to 69 under 35 U.S.C. § 102(b), a Notice of Appeal to be subsequently submitted.

VI. Conclusion

Applicants respectfully submit that the foregoing amendments place the application in better form for appeal by re-submitting the drawing amendments that are purported to be missing and by overcoming the rejection of claims 36 to 38 and 59 to 69 under 35 U.S.C. 112, first paragraph. It is respectfully requested that the foregoing amendments be entered.

Dated: Jan. 28, 2004

By: _____

Respectfully submitted,

KENYON & KENYON

Thomas C. Hughes
Reg. No. 42,674

One Broadway
New York, New York 10004
(212) 425-7200



Fig. 1A

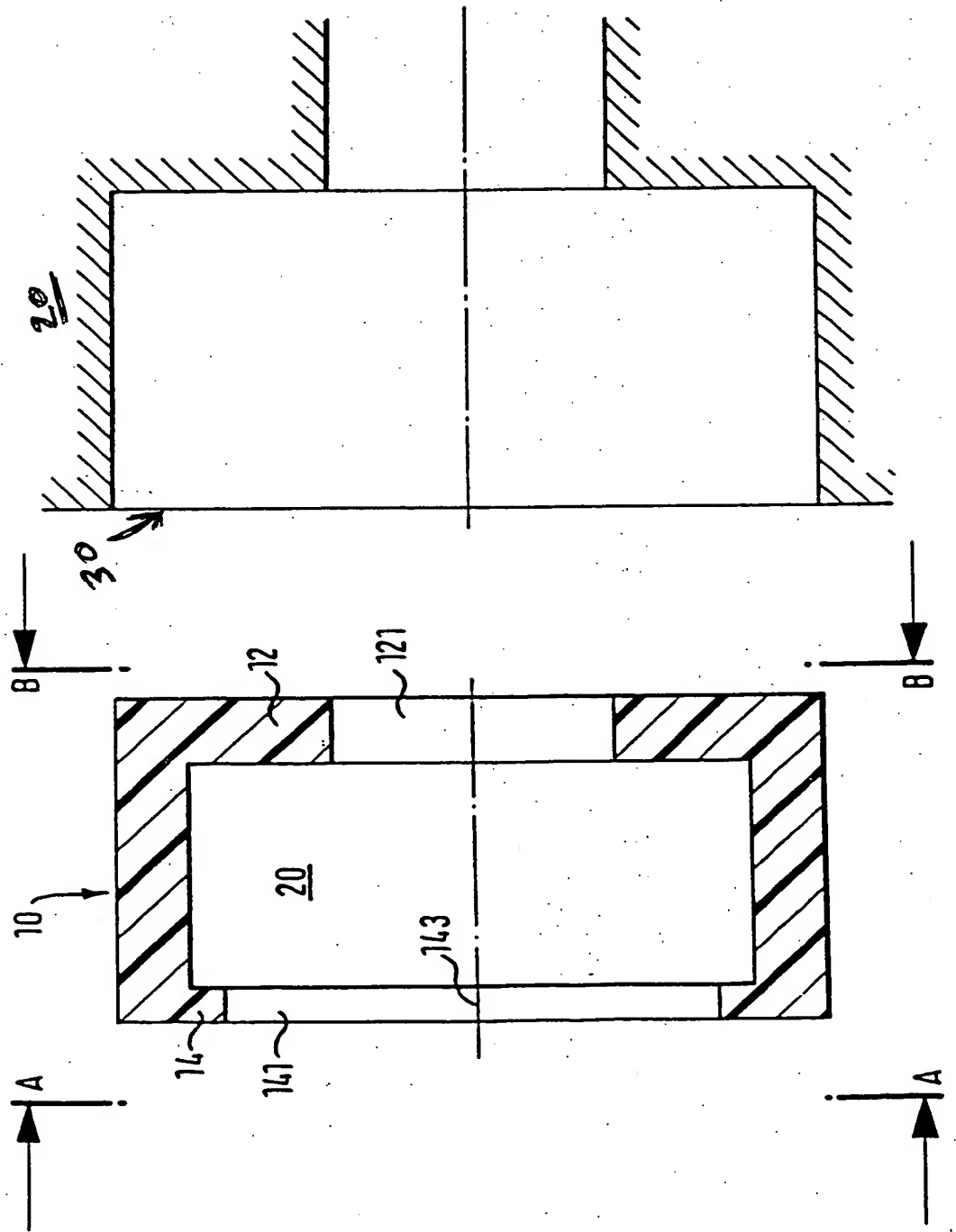


Fig. 1B

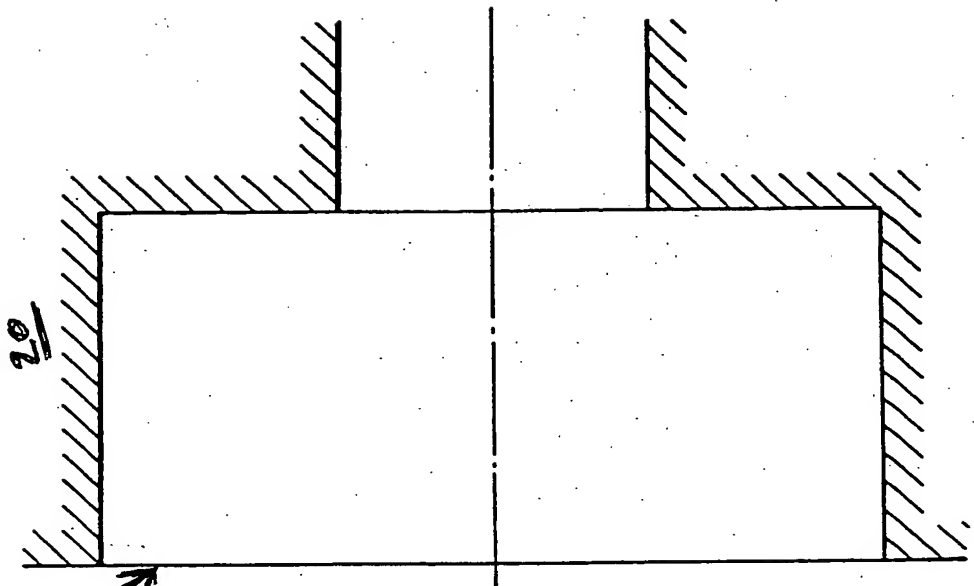


Fig. 2B

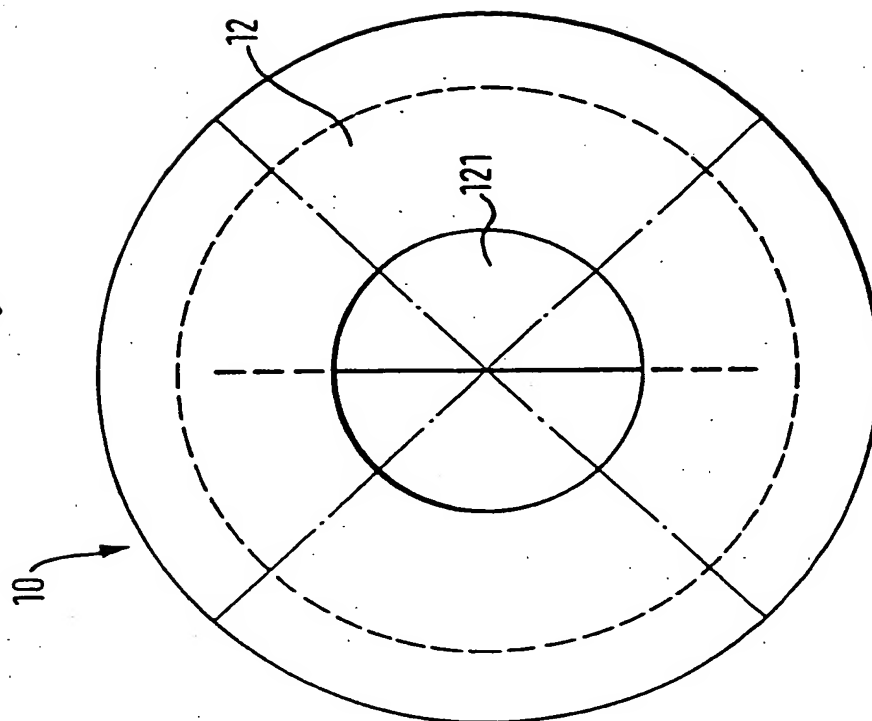


Fig. 2A

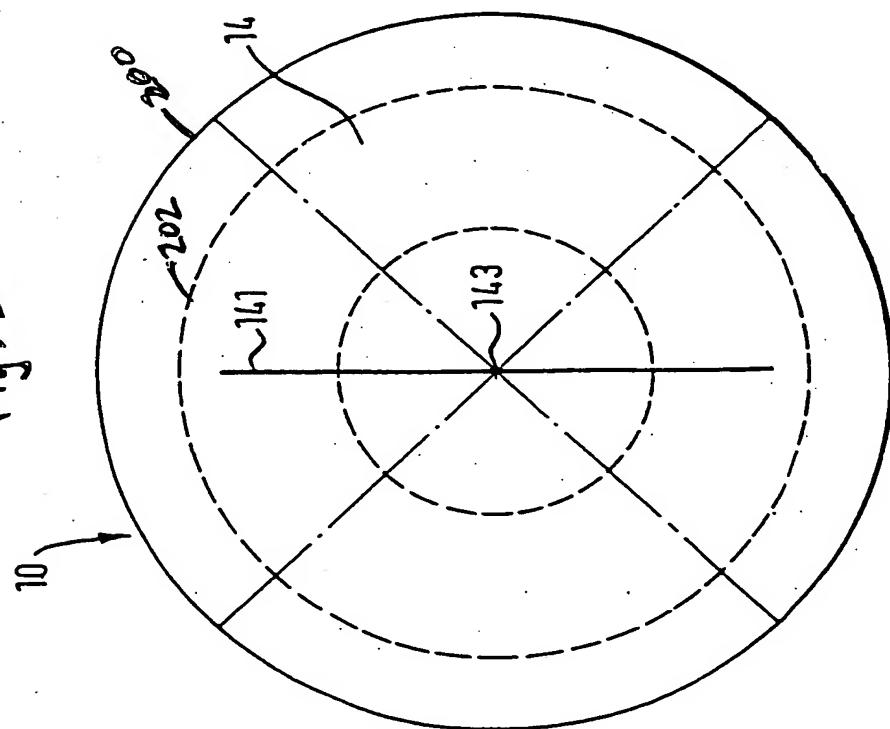


FIG. 4

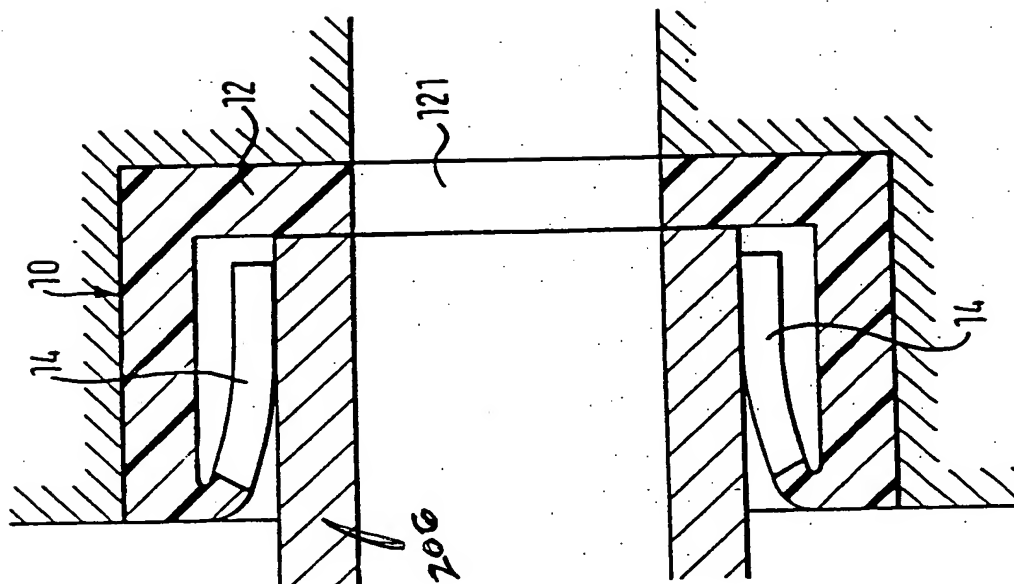
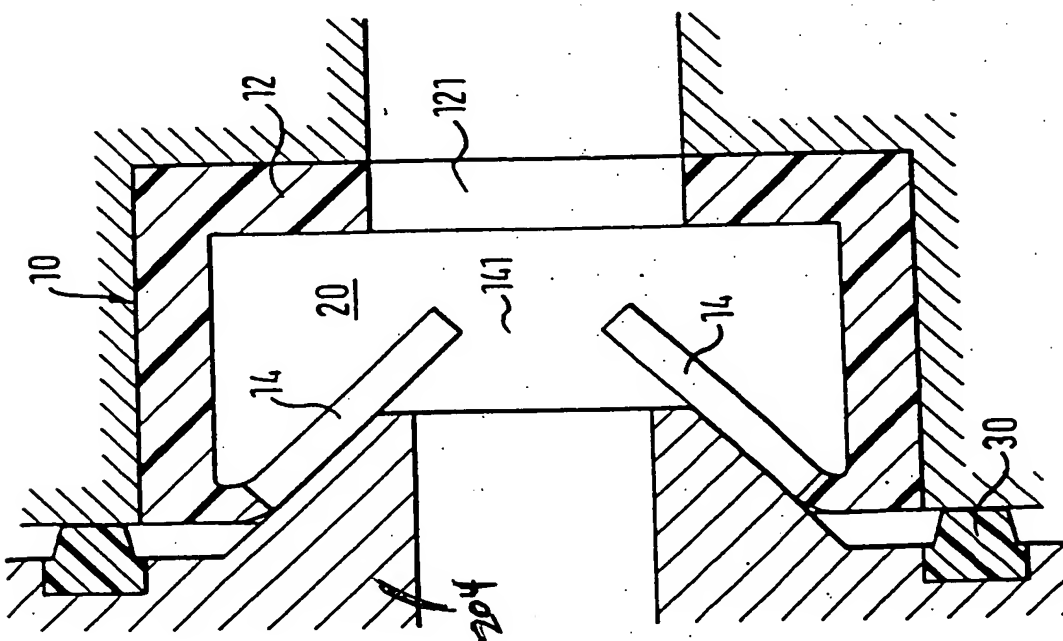


FIG. 3



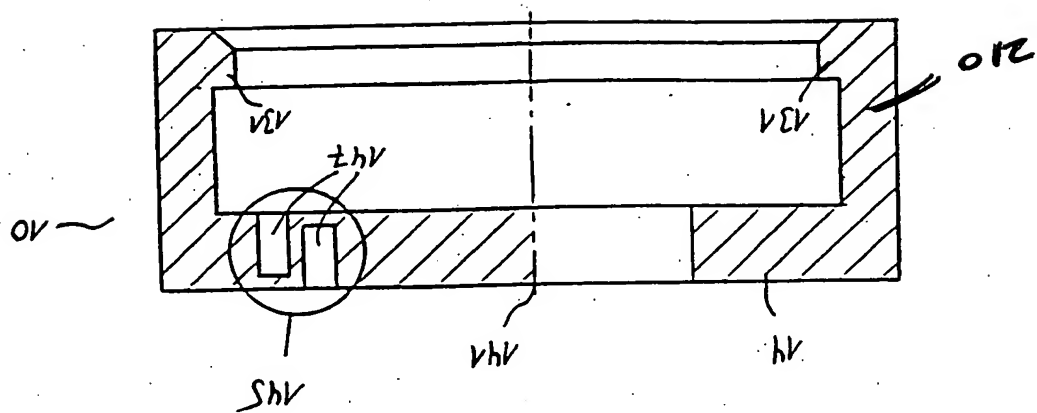


Fig. 6

A-A

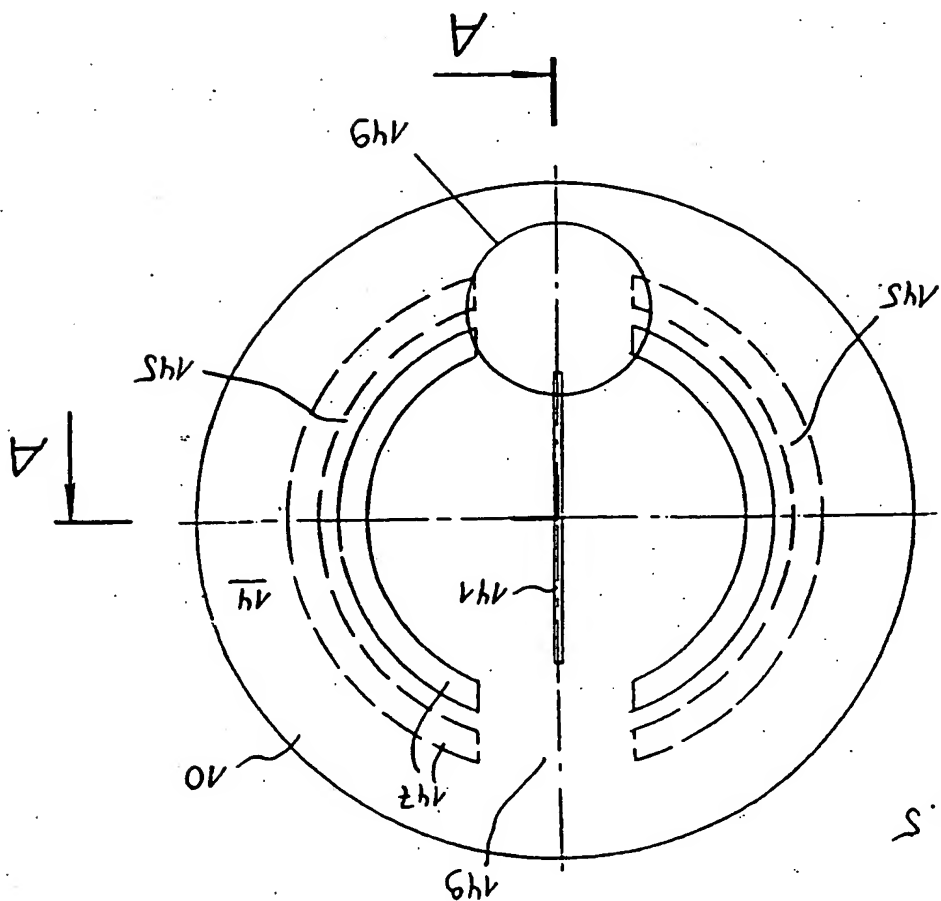


Fig. 5